

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 17, 2005
SAN FRANCISCO, CALIFORNIA**

S117726

E032377 Fourth Appellate District,
Division Two

CUMMINS, INC. v. S.C. (COX)

Request for modification denied

Werdegar, J., was absent and did not participate.

S134640

B171374 Second Appellate District,
Division Eight

PEOPLE v. HAYES

Review granted/briefing deferred (rule 29.1)

Respondent's petition for review granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Shabazzy*, S131048 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Appellant's petition for review denied.

Werdegar, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S135582

D045389 Fourth Appellate District,
Division One

N. (KAREN), CONSERVATORSHIP OF

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Conservatorship of Ben C.*, S126664 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Werdegar, J., was absent and did not participate.

Votes: George, C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S134370

B183276 Second Appellate District,
Division Seven

WARREN v. S.C. (PEOPLE)

Review granted; transferred to CA 2/7 to issue OSC

The matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its order denying the petition for a writ of mandate and to issue an order directing respondent Superior Court of Los Angeles County to show cause why the relief sought in the petition should not be granted.

Werdegar, J., was absent and did not participate.
Votes: George, C.J., Kennard, Baxter, and Chin, JJ.

S117879

F038393 Fifth Appellate District

PEOPLE v. CHACON

Transferred to CA 5 after hold

The above-entitled review is hereby transferred to the Court of Appeal, Fifth Appellate District with directions to vacate its decision and to reconsider the cause in light of *People v. Thomas* (2005) 35 Cal.4th 635, 644.

Werdegar, J., was absent and did not participate.
Votes: George, C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S120396

B153932 Second Appellate District,
Division Eight

AVILA v. JADO PROPERTIES

Transferred to CA 2/8 after hold

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Eight with directions to vacate its decision and to reconsider the cause in light of *Delgado v. Trax Bar & Grill* (2005) 36 Cal.4th 224.

Werdegar, J., was absent and did not participate.
Votes: George, C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S134466

BALLANCE (EUGENE) ON H.C.
Petition ordered withdrawn

Pursuant to written request of petitioner the above-entitled petition for writ of habeas corpus is ordered withdrawn without prejudice to refiling in the Court of Appeal.

S134872

F047602 Fifth Appellate District

PEOPLE v. S.C. (GREGORY)
Petition ordered withdrawn

Motion to withdraw petition for review, filed August 1, 2005 is granted.

Baxter, J., was recused and did not participate
Werdegar, J., was absent and did not participate.

S134269

B168705 Second Appellate District,
Division Four

MILEIKOWSKY v. TENET HEALTHSYSTEM
Petition for review denied

Request for judicial notice granted.

Kennard, J., is of the opinion the petition should be granted.
Werdegar, J., was absent and did not participate.

S134368

C049719 Third Appellate District

THELANDER (SCOTT) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134458

B183275 Second Appellate District,
Division Seven

KUNKLER (EDGAR) ON H.C.
Petition for review denied

Moreno, J., is of the opinion the petition should be granted.
Werdegar, J., was absent and did not participate.

S134464

A110146 First Appellate District,
Division Four

BUNNEY (MARCIA ELLEN) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134477

G035420 Fourth Appellate District,
Division Three

MAGANA (JOSE) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134586

A110239 First Appellate District,
Division Four

PRATT (DENNIS) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134647

B174650 Second Appellate District,
Division Seven

PEOPLE v. SANCHEZ
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S134652

D046332 Fourth Appellate District,
Division One

MONROY (AUGUSTIN) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134691

H028752 Sixth Appellate District

ESCALANTE (JUSTO) ON H.C.
Petition for review denied

Werdegar, J., was absent and did not participate.

S134699

F046430 Fifth Appellate District
F046858

J. (JOSHUA), IN RE
Petition for review & depublication request denied

Baxter, J., is of the opinion the petition should be granted.
Werdegar, J., was absent and did not participate.

S134720

B174248 Second Appellate District,
Division Three

BERGMAN v. DRUM

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134723

B164859 Second Appellate District,
Division Seven

**DESANTIS v. STATE OF CALIFORNIA DEPT.
OF TRANSPORTATION**
Petition for review denied

Werdegarr, J., was absent and did not participate.

S134742

B183231 Second Appellate District,
Division One

ALDAMA (JOE) ON H.C.
Petition for review denied

Werdegarr, J., was absent and did not participate.

S134749

B171221 Second Appellate District,
Division Five

PEOPLE v. HEARSE
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S134762

C049838 Third Appellate District

ERVIN (WALLACE) ON H.C.
Petition for review denied

Werdegarr, J., was absent and did not participate.

S134788

B172775 Second Appellate District,
Division Four

PEOPLE v. RINCON
Petition for review denied

Werdegarr, J., was absent and did not participate.

S134808

B125364 Second Appellate District,
Division Seven

PEOPLE v. JACKSON

Petitions for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S134850

A108890 First Appellate District,
Division Two

E. (CARLOS), IN RE

Petition for review denied

Werdegar, J., was absent and did not participate.

S134856

C047317 Third Appellate District

BULLARD v. CALIF STATE AUTOMOBILE ASSN.

Petition for review denied

Werdegar, J., was absent and did not participate.

S134868

H028792 Sixth Appellate District

LAW OFFICE OF DAVID A. BOONE v. S.C. (LEE)

Petition for review and application for stay denied

Werdegar, J., was absent and did not participate.

S134887

B183416 Second Appellate District,
Division Seven

BEDROSSIAN v. SUPERIOR COURT

Petition for review denied

Werdegar, J., was absent and did not participate.

S134891

B171102 Second Appellate District,
Division Two

PEOPLE v. TIRADO

Petition for review denied

Werdegar, J., was absent and did not participate.

S134892

A102434 First Appellate District,
Division Two

PEOPLE v. LOPEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

S134895

G035398 Fourth Appellate District,
Division Three

MANIGHALAM v. S.C. (PURCELL)

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134906

E034875 Fourth Appellate District,
Division Two

PEOPLE v. ANGULO

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134935

E034547 Fourth Appellate District,
Division Two

PEOPLE v. CREWS

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134943

B182445 Second Appellate District,
Division Two

ALPERT v. TSENG

Petition for review denied

The request for judicial notice denied.

Werdegarr, J., was absent and did not participate.

S134953

G033028 Fourth Appellate District,
Division Three

PEOPLE v. BRIKEN

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134957

B172612 Second Appellate District,
Division Seven

PEOPLE v. RAMIREZ

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134965

E036575 Fourth Appellate District,
Division Two

PEOPLE v. WILLIAMS

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134969

E036584 Fourth Appellate District,
Division Two

PEOPLE v. SIMILTON

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134970

B182610 Second Appellate District,
Division Six

VLACH v. W.C.A.B. (ALLIANCE FINISHING)

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134972

F046334 Fifth Appellate District

PEOPLE v. CHROMI

Petition for review denied

Werdegarr, J., was absent and did not participate.

S134984

H027308 Sixth Appellate District

PEOPLE v. MUADDI

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135000

B167277 Second Appellate District,
Division Three

TAYLOR v. IVIE

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135039

C044075 Third Appellate District

PEOPLE v. DUTRA

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135058

B172198 Second Appellate District,
Division Seven

PEOPLE v. JOHNSON

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135079

F044126 Fifth Appellate District

REEVES v. STANISLAUS CONSOLIDATED FIRE

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135124

A110397 First Appellate District,
Division One

KEATES (VINCENT EDWARD) ON H.C.

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135126

E034687 Fourth Appellate District,
Division Two

SELIO, ESTATE OF

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135176

D046685 Fourth Appellate District,
Division One

DREWS v. S.C. (PEOPLE)

Petition for review and application for stay denied

Werdegarr, J., was absent and did not participate.

S135194

A107788 First Appellate District,
Division Three

FONG v. SAFE AMERICA CREDIT UNION

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135232

C049670 Third Appellate District

MOCK v. WCAB (ARATEX SERVICES)

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135276

B183096 Second Appellate District,
Division Five

333 WEISERLOCK WORKERKS CASES v. WCAB

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135295

A105132 First Appellate District,
Division Five

MICHAEL H. CLEMENT CORPORATION v.

COUNTY OF CONTRA COSTA

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135307

G034697 Fourth Appellate District,
Division Three

J. (BRITTNEY), IN RE

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135341

C046400 Third Appellate District

NEIGHBORS FOR RESPONSIBLE ACTION v.

BUTTE COUNTY (PARADISE ROD & GUN CLUB)

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135360
F043471 Fifth Appellate District

HELMER v. BINGHAM TOYOTA ISUZU
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135389
B182805 Second Appellate District,
Division Eight

AMERICAN HOME ASSURANCE v. WCAB
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135397
F047485 Fifth Appellate District

HOLTZMAN v. WCAB (UNINSURED EMPLOYERS)
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135409
F045980 Fifth Appellate District

PEOPLE v. ELMORE
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135434
H027531 Sixth Appellate District

PEOPLE v. MCGEE
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135436
H028451 Sixth Appellate District

PEOPLE v. MORROW
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135443
C047262 Third Appellate District

M. (WILLIAM), IN RE
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135447
G033878 Fourth Appellate District,
Division Three

PEOPLE v. QUINTANA
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135458

B174618 Second Appellate District,
Division One

PEOPLE v. BRYANT

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135463

B157012 Second Appellate District,
Division Three

WHEAT v. WHEAT

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135465

C047023 Third Appellate District

PEOPLE v. LUNA

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135469

B158254 Second Appellate District,
Division Two

PEOPLE v. RICHIE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135472

B175248 Second Appellate District,
Division Six

PEOPLE v. RUCKER

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S135474

A105800 First Appellate District,
Division Five

PEOPLE v. SNELGRO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S135475

B174305 Second Appellate District,
Division Three

PEOPLE v. FLORES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S135479

B175098 Second Appellate District,
Division Six

PEOPLE v. DAVALOS

Petition for review denied

Werdegar, J., was absent and did not participate.

S135484

G034202 Fourth Appellate District,
Division Three

PEOPLE v. COLLINS

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135494

A105197 First Appellate District,
A104212 Division Four

PEOPLE v. RODRIGUES

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135496

C046143 Third Appellate District
C046136

G. (JOSE), IN RE

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135497

C044413 Third Appellate District

PEOPLE v. BANKS

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135498

H026270 Sixth Appellate District

PEOPLE v. SHEPHERD

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135501

A102207 First Appellate District,
Division Three

PELKEY v. CAVALLI

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135504

B177361 Second Appellate District,
Division Two

PEOPLE v. VERDUGO

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135507

G034437 Fourth Appellate District,
Division Three

CAL WEST NURSERIES v. S.C. (A.J. WEST RANCH)
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135509

G033869 Fourth Appellate District,
Division Three

PEOPLE v. ORTIZ
Petition for review denied

Werdegarr, J., was absent and did not participate.

S135510

E034949 Fourth Appellate District,
Division Two

PEOPLE v. BARNELL
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238
regarding the effect of *Blakely v. Washington*
(2004) 542 U.S. ___, 124 S.Ct. 2531, and *United*
States v. Booker (2005) 543 U.S. ___, 125 S.Ct.
738, on California law.

Werdegarr, J., was absent and did not participate.

S135515

H027861 Sixth Appellate District

PEOPLE v. CHIOINO
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238
regarding the effect of *Blakely v. Washington*
(2004) 542 U.S. ___, 124 S.Ct. 2531, and *United*
States v. Booker (2005) 543 U.S. ___, 125 S.Ct.
738, on California law.

Werdegarr, J., was absent and did not participate.

S135526

H027492 Sixth Appellate District

PEOPLE v. NGUYEN
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238
regarding the effect of *Blakely v. Washington*

(2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegar, J., was absent and did not participate.

S135527

B182077 Second Appellate District,
Division Seven

COMPTON v. WCAB (GOLDEN)

Petition for review denied

Werdegar, J., was absent and did not participate.

S135528

G034354 Fourth Appellate District,
Division Three

PEOPLE v. CHACON

Petition for review denied

Werdegar, J., was absent and did not participate.

S135529

E034986 Fourth Appellate District,
Division Two

PEOPLE v. TULLOUS

Petition for review denied

Werdegar, J., was absent and did not participate.

S135537

C046318 Third Appellate District

PEOPLE v. SCHOONOVER

Petition for review denied

Werdegar, J., was absent and did not participate.

S135544

C045649 Third Appellate District

PEOPLE v. BUENO

Petition for review denied

Werdegar, J., was absent and did not participate.

S135547

F044889 Fifth Appellate District

PEOPLE v. COVARRUBIAS

Petition for review denied

Werdegar, J., was absent and did not participate.

S135548

A103791 First Appellate District,
Division Three

PEOPLE v. BROWN

Petition for review denied

Werdegar, J., was absent and did not participate.

S135552

F045190 Fifth Appellate District

PEOPLE v. GUERRERO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135553G034173 Fourth Appellate District,
Division Three

PEOPLE v. NGUYEN

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135560B177029 Second Appellate District,
Division Seven

PEOPLE v. BRADSHAW

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135573B176926 Second Appellate District,
Division Five

PEOPLE v. ORTEGA

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135578B174165 Second Appellate District,
Division Four

PEOPLE v. KOUFOS

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135579

C047899 Third Appellate District

PEOPLE v. YAGHOUB

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135586B175611 Second Appellate District,
Division Two

PEOPLE v. FUENTES

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135611

B175970 Second Appellate District,
Division Six

PEOPLE v. AMASON

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135637

G034145 Fourth Appellate District,
Division Three

PEOPLE v. BAN

Petition for review denied

Werdegarr, J., was absent and did not participate.

S135647

A106836 First Appellate District,
Division Three

PEOPLE v. MASON

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Werdegarr, J., was absent and did not participate.

S135853

F048363 Fifth Appellate District

PEACOCK v. S.C. (PEOPLE)

Petition for review and application for stay denied

Werdegarr, J., was absent and did not participate.

S127553

PORTER (THOMAS ALLEN) ON H.C

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S127647

ONTIVEROS (ED) ON H.C.

Petition for writ of habeas corpus denied

(See *Superintendent v. Hill* (1985) 472 U.S. 445.)

Werdegarr, J., was absent and did not participate.

S127970

PARKER (TERRY D.) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128136

CASTANEDA (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128142

PHILLIPS (TOMMY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegar, J., was absent and did not participate.

S128155

TERRY (REGINALD) ON H.C.
Petition for writ of habeas corpus denied

(*In re Dixon* (1953) 41 Cal.2d 756.)

Werdegar, J., was absent and did not participate.

S128162

VAN HOUSEN (DANIEL) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128163

SMITH (MICHAEL JOE) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128173

JONES (SHERMAN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegar, J., was absent and did not participate.

S128175

STEPHEN (JIMMIE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

S128182

PARKS (WAYNE A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

Werdegarr, J., was absent and did not participate.

S128189

KELLY (RICHARD W.) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

Werdegarr, J., was absent and did not participate.

S128197

LOZANO (JORGE W.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Azurin* (2001) 87 Cal.App.4th 20.)

Werdegarr, J., was absent and did not participate.

S128199

BURNELL (JOE B.) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S128207

LANNING (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re*

Miller (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)

Werdegarr, J., was absent and did not participate.

S128210

ESPRITT (BRIAN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S128212

ANDRADE (LARRY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

Werdegarr, J., was absent and did not participate.

S128216

CULVER (JOHN) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S128217

FAJARDO (GUSTAVO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

S128219

TOWNES (GARY) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S128230

STARKES (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S128233

SANDERS (PHILLIP) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128235

GARCIA (ALFRED) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128236

SMITH (RAYMOND) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegar, J., was absent and did not participate.

S128239

PRADO (MARIO) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128258

DOMINGUEZ (RAFAEL) ON H.C.
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

S128263

WELCH (ANTHONY L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegar, J., was absent and did not participate.

S128267

SANCHEZ (EDWARD) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegar, J., was absent and did not participate.

S128269

CONNSERO (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S128273

AUSTIN (DAVID L.) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S128458

CONNSERO (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S130657

JONES (SHERMAN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S130690

PORTER (THOMAS ALLEN) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S130958

CULVER (JOHN L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)

Werdegarr, J., was absent and did not participate.

S131493

CONNSERO (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S131732

CONNSERO (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S135222

STEPHEN (JIMMIE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

S135667

BOOTH (THOMAS P.) ON H.C.
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

S135901

RODRIGUEZ (STEVEN R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S135928

MATTHEWS (IVAN L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Werdegarr, J., was absent and did not participate.

S030644

PEOPLE v. ROLDAN (RICARDO)
Stay of execution order filed

Appointed counsel for condemned inmate Ricardo Roldan represents that he will submit to the United States Supreme Court a timely filed petition for writ of certiorari seeking review of this court's decision affirming the judgment of

death. Moreover, appointed counsel has filed a capital-related petition for writ of habeas corpus on behalf of Ricardo Roldan in this court (S115143) and the disposition of that petition is pending. Accordingly, the application for stay of execution is granted and execution of the judgment of death entered against Ricardo Roldan by the Los Angeles Superior Court (No. PA003868), and affirmed by this court on April 25, 2005 (35 Cal.4th 646), is hereby stayed pending the last to occur of the following: final determination of any timely filed petition for writ of certiorari in the United States Supreme Court, and this court's disposition of Ricardo Roldan's capital-related petition for writ of habeas corpus. If the petition for writ of habeas corpus is denied, and if a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

Werdegarr, J., was absent and did not participate.

S134878

A109716 First Appellate District,
Division Four

H. (DENNY) v. S.C. (DEPT OF HUMAN SERVICES)
Publication ordered

On the recommendation of the Court of Appeal pursuant to rule 978 of the California Rules of Court, the Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Officials Reports. See rule 978(c)(2), California Rules of Court.

Werdegarr, J., was absent and did not participate.

S133847

D044719 Fourth Appellate District,
D045627 Division One

P. (ROBERT), IN RE
Publication request denied (case closed)

The request for an order directing partial publication of the opinion in the above-entitled appeal is denied.

Werdegarr, J., was absent and did not participate.

S133921

B174976 Second Appellate District,
Division Four

EVERETT v. SIX FLAGS THEME PARKS

Publication request denied (case closed)

Werdegarr, J., was absent and did not participate.

S133991

A106587 First Appellate District,
Division One

WRIGHT v. SF POLICE OFFICERS ASSOC.

Publication request denied (case closed)

Werdegarr, J., was absent and did not participate.

S134333

G033003 Fourth Appellate District,
Division Three

YOUNG v. HOWES HIW INC.

Publication request denied (case closed)

Werdegarr, J., was absent and did not participate.

S134580

B180694 Second Appellate District,
Division Eight

A. (LARRY) v. S.C. (L.A. COUNTY DEPT OF
CHILDREN & FAMILY SERVICES

Publication request denied (case closed)

Werdegarr, J., was absent and did not participate.

S126715

B152759 Second Appellate District,
B154184 Division Five

SOUKUP v. HAFIF

Extension of time granted

to September 22, 2005 to file respondent's reply
brief on the merits.

S133274

B171456 Second Appellate District,
Division Eight

PEOPLE v. GONZALEZ

Counsel appointment order filed

Allison Ting for appellant Jose Luis Martinez.

S012261

PEOPLE v. ALVAREZ (MANUEL M.)

Order filed

The August 5, 2005, request of appellant
Manuel Machado Alvarez to withdraw: (1) the
October 9, 2003, Motion to Authorize Inspection
and Copying of Certain Confidential Materials;
and (2) the October 27, 2003, Motion to File
Under Seal Motion to Authorize

Inspection and Copying of Certain Confidential Materials, is granted.

Werdegarr, J., was absent and did not participate.

S112505
B161777 Second Appellate District,
Division Four

ROBERTS (ORLANDO) ON H.C.
Order filed

Finality of the opinion in the above-entitled case is hereby extended to and including September 16, 2005.

S136286

JUSTICE v. COURT OF APPEAL
Order filed

Petitioner's request for pre-filing order filed on August 10, 2005, is hereby denied.

B176069 Second Appellate District,
Division One

PEOPLE v. ABEL ALFARO
Order filed

The time for granting review on the court's own motion is hereby extended to and including September 22, 2005. (Cal. Rules of Court, rule 28.2(d).)

